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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) No. CR 07-00675 JF
12)
Plaintiff,)
13 v.) **STIPULATION TO CONTINUE**
DAVID HINKEL, et al,) **STATUS HEARING; [PROPOSED]**
14) **ORDER**
Defendant.)
15)
16)

17 **STIPULATION**

18 Defendants, David Hinkel and Jeffrey Smith, and the government, through their
19 respective counsel, hereby stipulate that, subject to the court's approval, the status hearing in the
20 above-captioned matter, presently scheduled for Wednesday, December 12, 2007, at 9:00 a.m.,
21 may be continued to Wednesday, December 19, 2007, at 9:00 a.m. The continuance is being
22 requested due to unavailability of David Hinkel's defense counsel.

23 The parties further agree and stipulate that time should be excluded from and including
24 December 12, 2007 through and including December 19, 2007, to provide counsel reasonable
25 time to prepare, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A) and (B)(iv).
26 Accordingly, the United States and the defendant agree that granting the requested exclusion of

